



# COMMUNICATOR

Newsletter of the Volusia County Bar Association ~ December 2023 and January 2024

## MEMBERSHIP MEETING

with Florida Bar President F. Scott Westheimer

*sponsored by Southern Cross Media LLC*

**Wednesday, January 10 , 2024 ~ 11:45 - 1:00 p.m.**  
**Halifax River Yacht Club, 331 S. Beach St., Daytona Beach**

[REGISTER](#)

## ELDER LAW SECTION MEETING

**Assisted Living: Senior Placement Options & Resources**

**Thursday, January 18 ~ 12:00 noon**  
Zinn Legal, 140 S. Beach St, Daytona Beach  
**No charge to attend. RSVP required.**

[REGISTER](#)

## VFAWL & VCBA CLE: Technology in the Clerk's Office

*A roundtable discussion with Clerk of Court Laura Roth*

**Friday, February 9, 2024 ~ 9:00-10:30 a.m.**

Jury Assembly Room, DeLand Courthouse

Free seminar for VCBA & VFAWL members and staff.

**Seating is limited and RSVP is required!**

[REGISTER](#)

## ELDER LAW SECTION MEETING

**February**

**Alzheimer's & Dementia Care**

Thursday, February 15 ~ 12:00 noon  
Brookdale Ormond West, Ormond Beach  
**No charge to attend. RSVP required.**

[REGISTER](#)

**VCBA SEEKING VOLUNTEERS FOR**

**HIGH SCHOOL MOCK TRIAL**

Thursday, February 8 at City Island Courthouse  
Email [volusiabar@gmail.com](mailto:volusiabar@gmail.com) if you are available.

## **ELDER LAW SECTION MEETING**

**March**

### **Veteran's Benefits & Resources**

Thursday, March 21, 2024

Time & Location TBD.

**[REGISTER](#)**

## **CLE: Artificial Intelligence—Thinking in a New Era**

*presented by Lori Sandman, Esq. and Jeffrey Franklin, Esq.*

### **CLE Approved**

3.0 General, 1.0 Professionalism, 1.0 Ethics, 1.0 Technology, 3.0 Business Litigation Certification

**Friday, March 22, 2024**

9:00 a.m. to 12:00 noon

**Daytona Beach Airport Meeting Room**

\$60.00 per person—VCBA members & staff only

**[REGISTER](#)**

## **BENCH & BBQ: An annual event celebrating the Volusia County legal community.**

*Sponsored by REV Physical Therapy and Sports Medicine*

**Thursday, April 18, 2024 ~ 6:00 p.m.**

Brannon Center, 105 S. Riverside Drive,

New Smyrna Beach

\$20.00 per person

**[REGISTER](#)**

## **Cuba Trip with CLE credit: April 25-28, 2024**

**[Email for additional information](#)**

**NOTE: January 9 is the deadline to make a deposit and reserve a seat!**

**Free gently used binders.**

Check with Judge Jolley!

Catherine Taylor Lamb  
2023/2024 President, Volusia County Bar Association



Greetings VCBA!

At the time of this publication, we are well into the frenzy of the holidays. There is no denying it is a busy time and it may be stressful and difficult (to say the least) to juggle the balance of work, family, self-care, time restraints, deadlines, AND... charity functions, holiday gatherings, shopping, additional cooking, additional driving ... the list goes on.

Even with a perfectly organized calendar, it's a lot to remember and even more to actually do it all. So, here's the thing. Give yourself some grace.

If you find yourself overcommitting, one thought is to calendar some time for yourself to donate or volunteer after the New Year instead. Charities still need help after January 1<sup>st</sup> and donations are certainly accepted during the months of February though November.

It's okay to purchase a store-bought dessert or respectfully decline an invitation. It's okay to spend an evening at home with your family instead of trying to squeeze in another function. It's okay. Really, it is.

Also, there are many ways to show generosity and kindness this time of year without overextending your already overloaded schedule. In my line of work, I see many families who are saddened by the recent loss of a loved one or experiencing their first holiday without a parent or child or friend. If you know anyone going through something like this, a phone call or visit can go a long way. A thoughtful card in the mail or an invitation to lunch may brighten the day of someone who is experiencing loneliness, which can be particularly tough over the holidays.

Wishing you a wonderful and safe remainder of the holiday season and a Happy New Year!

Please note: The VCBA newsletter for December, 2023 and January 2024 are combined. There's enough for everyone to do right now wouldn't you say?

Catherine Taylor Lamb

P.S.. As a reminder, if you or anyone you know is interested in being featured in our attorney spotlight pages, please email the VCBA at [volusiabar@gmail.com](mailto:volusiabar@gmail.com). We'd love to hear from you!

## MEMBER SPOTLIGHT



### **Judge Christopher Kelly**

Circuit Judge currently assigned to a family law division.

**Where were you born and where did you grow up?**  
Daytona Beach

**College and law school and graduation year**  
Daytona Beach Community College, 1988; Florida State University, 1990; and The University of Florida College of Law, 1995.

**If you weren't practicing law, what would your career choice be?** Teacher/Coach

**Did you have a mentor at any point in your legal career and if so, what did that mean for you?**

Over my career, I've had the opportunity to practice in several different areas of the law. Each step along the way, and even to this day, I've been fortunate to have mentors willing to provide valuable advice and guidance. The fact that people are willing to take the time to share their experiences and provide objective feedback is very gratifying and I couldn't be more thankful to each of those people who've had a profound impact on my life and career.

**Sports fan?** Go Gators!

**Favorite holiday food?**

Yes! But if I have to pick only one, I'll go with the left-over turkey sandwich.

**One thing others might be surprised to know about you?**

I have completed over 20 marathons since 2001 and still counting . . .



### **Spencer S. Hathaway**

Criminal prosecution

**Where were you born and where did you grow up?**  
Halifax Hospital in Daytona Beach, FL. I grew up in beautiful New Smyrna Beach.

**College and law school and graduation year:**  
Stetson University College of Law (Go Hatters!) 2011.

**If you weren't practicing law, what would your career choice be?**

I'd be operating the best BBQ stand in the southeast or teaching U.S. History.

**Did you have a mentor at any point in your legal career and if so, what did that mean for you?**

Working under the leadership of State Attorney R.J. Larizza has been the thrill of a career. His presence, guidance, and advice have proven invaluable to me. Also, David R. Smith - the sage of the State Attorney's Office - his skill, demeanor, and desire for contributing to the betterment of our community have affected me deeply.

**Sports fan?** I am a fan of the Florida State Seminoles. Go Noles!

**Favorite holiday food?** The sinfully decadent "Cardiac Mac," recipe which I have attached.

**One thing others might be surprised to know about you?** I took classical guitar lessons for 10 years and am a very mediocre golfer.

## MEMBER SPOTLIGHT



### **C. Kim Banister**

Family Law, Mediation, Guardianship

**Where were you born and where did you grow up?**

Born in Falls Church, VA and grew up in Northern VA

**College and law school and graduation year:**

BA George Mason 1995; MA University of NE 1999; JD University of NE 2003

**If you weren't practicing law, what would your career choice be?**

Archaeologist and museum curator

**Did you have a mentor at any point in your legal career and if so, what did that mean for you?** No

**Sports fan?** UNL Huskers; Washington Commanders; NE Patriots; Orioles and the Red Sox

**Favorite holiday food?**

Candied Sweet Potatoes, lamb chops and beef tenderloin

**One thing others might be surprised to know about you?**

I was an on screen extra in the Harrison Ford movie Clear and Present Danger

### **ASSOCIATE ATTORNEY NEW SMYRNA BEACH**

The Preston Law Firm has an opening for an attorney to practice in the primary areas of Estate Planning, Probate, Trust Administration, Guardianship, and Elder Law.

Founded in 1987 by Bill Preston, our firm has a deep understanding of the unique legal needs of our community. We are a firm that maintains professionalism and integrity, with compassion, while being dedicated to providing personalized, client-centered quality legal services for our clients.

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Please send your resume and cover letter to The Preston Law Firm, 605 S. Orange St., New Smyrna Beach, FL 32168, or email to [bill@theprestonlawfirm.com](mailto:bill@theprestonlawfirm.com).

### **ASSOCIATE ATTORNEY NEW SMYRNA BEACH**

Associate attorney needed in New Smyrna Beach. Wright & Casey, PA has an opening for a 1-4 year attorney to join our community association and litigation team. Experience in both condo/HOA law and civil litigation preferred. We offer competitive pay and benefits.

Please send your resume and cover letter (or email), to [bcasey@surfcoastlaw.com](mailto:bcasey@surfcoastlaw.com).

All submissions will be held in the strictest confidence.

## **Judge Kelly's Shrimp & Cheese Grits**

8 cups of chicken broth

2 tsp salt

2 cups of "Quick Grits" (not instant) (uncooked)

4 garlic cloves minced.

1 medium onion, chopped.

2 lbs. shrimp, peeled, cleaned & deveined (I've used medium, large & extra-large shrimp (depends on what is on BOGO!) (I've also substituted sausage for the shrimp or used both sausage & shrimp) (When using sausage, I use mild Italian, in casing which I cook and then slice before adding to the onion and garlic sauté)

4 tbsp. butter (or just use the whole stick)

2 cup shredded cheddar cheese

2 cans diced tomatoes, drained (I don't always drain fully) (choose your flavor – I usually use basil, garlic, and oregano)

1 teaspoon Worcestershire

1 can of Rotel original diced tomatoes with green chilies (optional)

1 teaspoon red pepper flakes (optional)

Cook the broth, grits, and salt in crock pot on low for 4-6 hours.

Sauté the onion and garlic in the 4 tbsp. of butter until tender and cooked through then add the shrimp for another 4-5 minutes of sautéing or until the shrimp are no longer pink.

Add sauté mixture to grits along with cheese, diced tomatoes, and optional Rotel & red pepper flakes.

Cook for another hour on low.

## **Spencer Hathaway's Cardiac Mac**

1 lb. elbow macaroni

1 cp. whole milk

24 oz. evaporated milk

3 eggs

1 cp butter (cut into small pieces)

1/2 lb. Colby cheese

1/2 lb. Monterey Jack cheese

1/2 lb. sharp cheddar cheese

1 lb. Velveeta cheese (cut into small chunks)

Salt (to taste)

1 tbsp. pepper

1 tbsp. sugar

1 cup mild cheddar cheese

Heat oven to 350 degrees.

Bring pot of lightly salted water to boil.

Cook pasta according to directions on package.

Drain and transfer to 9 x 13 casserole dish. Set aside.

In a large bowl, combine whole milk, evap. milk, and eggs. mix with fork till combined. Set aside.

Add butter (cut into pieces) shredded Colby, Monterey jack, shredded sharp cheddar, and Velveeta (cut into small chunks) to pasta.

Pour milk and egg mixture over pasta.

Season with salt, pepper, and sugar.

Toss and sprinkle mild cheddar cheese on top.

Bake 30-45 mins or until top is slightly brown.

Enjoy!!!!

**\*\*It makes a lot so it might be better to cut the recipe in half if you don't have a lot of people eating it!\*\***

**IN THE CIRCUIT COURT OF FLORIDA, SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER, PUTNAM, ST. JOHNS, AND VOLUSIA COUNTIES**

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**RE: LOCAL PROFESSIONALISM PANEL**

**REF: G-2023-035-SC  
(Rescinds G-2022-035-SC)**

**WHEREAS**, pursuant to the Florida Supreme Court decision In Re: Code for Resolving Professionalism Referrals, 367 So. 3d 1184, (Fla. 2023), the Chief Judge of each circuit is tasked with creating and maintain a local professionalism panel to receive, screen, and act on referrals of claimed unprofessional conduct and resolve those referrals informally, if possible, or refer them to The Florida Bar, if necessary;

**NOW THEREFORE**, I, **LEAH R. CASE**, Chief Judge of the Seventh Judicial Circuit of Florida, hereby appoint the following individuals to serve on the Local Professionalism Panel of the Seventh Judicial Circuit:

1. Hon. Michael S. Orfinger, Circuit Judge, Chair (term expiring 6/30/2026);
2. Vincent T. Lyon, Esquire, Flagler County Representative (term expiring 6/30/2026);
3. Hon. Alicia Washington, Circuit Judge, Putnam County Representative (term expiring 6/30/2024);
4. Daniel K. Hilbert, Esquire, St. Johns County Representative (term expiring 6/30/2026);
5. MaryEllen Osterndorf, Esquire, Volusia County Representative (term expiring 6/30/2025).

**IT IS FURTHER ORDERED** that the Seventh Judicial Circuit Local Professionalism Panel will meet at the discretion of the Chair and otherwise be governed by The Code for Resolving Professionalism Referrals.

**TO BE RECORDED** in Flagler, Putnam, St. Johns, and Volusia counties.

**DONE AND ORDERED** in Daytona Beach, Volusia County, Florida, this 30 day of November 2023.

  
**LEAH R. CASE  
CHIEF JUDGE**

cc: Professionalism Panel Members  
Circuit and County Judges  
Court Administration  
Clerks of Court  
County Bar Associations  
Elizabeth Clark Tarbert, Division Director, Lawyer Regulation, The Florida Bar



## Volusia County Law Library

### **New Titles in the Law Practice Management Collection**

- The Small Firm Roadmap Revisited: A Guide to the Healthy Law Firm of Your Future, Stephanie Everett & Aaron Street, Lawyerist Media LLC, 2023
- Effectively Representing Clients in Family Mediation, Forrest S. Mosten, Hon. Elizabeth Potter Scully, Lara Traum, ABA, 2023
- Legal Writing in Use: Master Legal Email Writing, IDM Law & Marc Roche, Macson Bell Business & Law, 2022
- Law Office Policies, Procedures, and Operations Manual, Marcia Watson Wasserman & Cynthia Thomas, 2022
- Automate Your Busywork: Do Less, Achieve More, and Save Your Brain for the Big Stuff, Aytekin Tank, John Wiley & Sons, Inc., 2023
- Social Media and the Law, Kathry L. Ossian, PLI Press, 2023

Law Practice Management titles are free for attorneys to borrow. View a list of all available titles at: [www.vclawlib.org](http://www.vclawlib.org).

### **Seventh Judicial Circuit Judicial Nominating Commission**

VCBA member Erica White has been appointed to the Seventh Judicial Circuit Judicial Nominating Committee. A Senior Associate at Kinsey Vincent Pyle, P.L. she earned her bachelor's degree from the University of North Carolina at Greensboro and her juris doctor from Barry University. White is appointed for a term ending July 1, 2027.

### **CITY OF DELTONA SPECIAL MAGISTRATE**

The City of Deltona seeks a qualified individual to serve as the City's Special Magistrate for code enforcement hearings. Such hearings are normally held on the 4<sup>th</sup> Wednesday of each month at 5:30 p.m. The Special Magistrate is responsible for conducting quasi-judicial hearings relating to violations of City codes and ordinances. The Special Magistrate will be appointed for one year, with renewals at the discretion of the Deltona City Commission.

Applicants must be graduates of a law school accredited by the American Bar Association; be a current member in good standing of The Florida Bar; demonstrate knowledge of administrative land use and local government laws; and have engaged in the practice of law for no less than 5 (five) years.

Please send resumes and requested hourly rate to Floris Johnson, Human Resources Director, City of Deltona, 2345 Providence Blvd., Deltona, Florida 32725, or via email [FJohnson@deltonafl.gov](mailto:FJohnson@deltonafl.gov) no later than by December 20, 2023.



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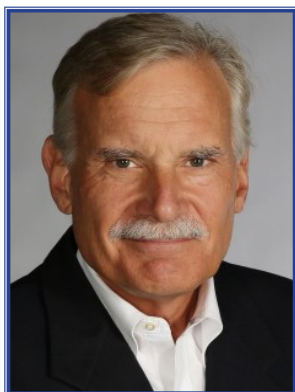
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## **Volusia County Bar Association**

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